

FORM PTO-11390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

1032-P01698US1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/786398**

INTERNATIONAL APPLICATION NO.  
PCT/US99/19763

INTERNATIONAL FILING DATE  
August 28, 1999

PRIORITY DATE CLAIMED  
August 28, 1998

**TITLE OF INVENTION**

Fluid Infusion Device with Retractable Needle

**APPLICANT(S) FOR DO/EO/US**

Thor Halseth

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

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21. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	16 - 20 =	0	x \$18.00	\$	0.00
Independent claims	3 - 3 =	0	x \$80.00	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$270.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$230.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$115.00
<b>SUBTOTAL =</b>				\$	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	115.00
				Amount to be refunded:	\$
				charged:	\$

a. ☒ A check in the amount of \$ 735.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.


d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card  
 information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Dann, Dorfman, Herrell and Skillman, P.C.  
 1601 Market Street  
 Suite 720  
 Philadelphia, PA 19103  
 Customer No. 000110

  
 SIGNATURE  
 Stephen H. Eland  
 NAME  
 PTO Reg. No. 41,010  
 REGISTRATION NUMBER

09/786398

JC02 Rec'd PCT/PTO 0 2 MAR 2001

**FEE TRANSMITTAL***Complete if known*

Application Number:

Filing Date: August 28, 1999

First Named Inventor: Halseth

Group Art Unit:

Examiner Name:

Total Amt. of Payment: (1)+(2)+(3)= **\$735**

Attorney Docket Number: 1032-P01698US1

**METHOD OF PAYMENT (check one)**

1. The Commissioner is hereby authorized to:

☐ Charge indicated fees☒ Charge additional fees☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL &amp; SKILLMAN

Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of \$735**FEE CALCULATION**

1. FILING FEE

**Fee Description**

Utility filing fee	<u>115.00</u>
Design filing fee	<u>          </u>
Plant filing fee	<u>          </u>
Reissue filing fee	<u>          </u>
Provisional filing fee	<u>          </u>

**SUBTOTAL (1)** \$115**FEE CALCULATION (continued)****ADDITIONAL FEES****Fee Description****Fee Paid**

Surcharge-late filing fee or oath	<u>          </u>
Surcharge - late provisional filing fee or cover sheet	<u>          </u>
Extension for response within first month	<u>          </u>
Extension for response within second month	<u>          </u>
Extension for response within third month	<u>          </u>
Extension for response within fourth month	<u>          </u>
Notice of Appeal	<u>          </u>
Filing a brief in support of an appeal	<u>          </u>
Request for oral hearing	<u>          </u>
Petition to revive unavoidably abandoned application	<u>          </u>
Petition to revive unintentionally abandoned application	<u>620.00</u>
Issue fee	<u>          </u>
Petitions to the Commissioner	<u>          </u>
Petitions related to provisional applications	<u>          </u>
Submission of Information Disclosure Stmt.	<u>          </u>
Recording each patent assignment per property	<u>          </u>
Other fee (specify) <u>Advance Order (10 copies)</u>	<u>          </u>
Other fee (specify)	<u>          </u>

**SUBTOTAL (3)** \$620

2. Claims

		<b>Paid</b>		<b>Extr</b>		<b>Fee</b>
Total Claims	16	-16	=	0	x 9	= 0
Independent Claims	3	-3	=	0	x 40	= 0
Multiple Dependent (First presentation)						

**SUBTOTAL (2)** \$0

Submitted By:

Typed or

Printed Name Stephen H. ElandReg. Number 41,010

Deposit Account User ID

Signature  Date March 2, 200104-1406